

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)
) CASE NO. CR14-051-TSZ
Plaintiff,)
)
v.)
) DETENTION ORDER
EUGENE N. MAGANYA,)
)
Defendant.)
_____)

Offense charged: Wire Fraud

Date of Detention Hearing: March 4, 2014.

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of other persons and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

1. Defendant was born in the Republic of Congo and came to the United States at

01 the age of 18 as a refugee. He has not yet completed the process of becoming a U.S. citizen.

02 2. Defendant's past criminal history, although primarily consisting of driving
03 offenses, contains multiple failures to appear with bench warrant activity, sometimes followed
04 by additional failures to appear. Defendant attempted to elude law enforcement officers at the
05 time of his arrest. He has family members who reside in Canada.

06 3. Defendant is unemployed and has a history of being terminated for tardiness for
07 excessive absences.

08 4. The instant offense involved alleged scheme to defraud primarily elderly
09 victims through a false sweepstakes scheme. Over \$340,000 in fraudulently-obtained funds
10 was allegedly collected, some of which is unaccounted for. The AUSA proffers that 7 fake
11 IDs were found at the time of arrest.

12 5. Defendant poses a risk of nonappearance due to a history of failing to appear,
13 attempt to elude, lack of employment, ties to Canada, and a history of alcohol use. He poses a
14 risk of danger due to the nature of the instant offense.

15 6. There does not appear to be any condition or combination of conditions that will
16 reasonably assure the defendant's appearance at future Court hearings while addressing the
17 danger to other persons or the community.

18 It is therefore ORDERED:

19 1. Defendant shall be detained pending trial and committed to the custody of the Attorney
20 General for confinement in a correction facility separate, to the extent practicable, from
21 persons awaiting or serving sentences or being held in custody pending appeal;

22 2. Defendant shall be afforded reasonable opportunity for private consultation with

01 counsel;

- 02 3. On order of the United States or on request of an attorney for the Government, the
03 person in charge of the corrections facility in which defendant is confined shall deliver
04 the defendant to a United States Marshal for the purpose of an appearance in connection
05 with a court proceeding; and
- 06 4. The Clerk shall direct copies of this Order to counsel for the United States, to counsel
07 for the defendant, to the United States Marshal, and to the United State Pretrial Services
08 Officer.

09 DATED this 4th day of March, 2014.

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12 Mary Alice Theiler
13 Chief United States Magistrate Judge
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